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JUN 29 2006

In re Application of:

Hsin-Fa Yang

Serial No.: 10/689,050

Filed: October 21, 2003

Attorney Docket No.: 3079/191

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*SUA SPONTE*  
DECISION WITHDRAWING HOLDING OF  
ABANDONMENT

This is a decision, *sua sponte*, withdrawing the holding of abandonment of the above-identified application.

The application was held abandoned for failure to timely pay the issue fee in response to the Notice of Allowance and Issue Fee Due (Notice) mailed on January 26, 2006. A Notice of Abandonment was mailed on June 09, 2006.

A review of the written record indicates that the a request to change the correspondence address filed on December 12, 2005, was not properly processed in the application file. As a result, the Notice mailed on January 26, 2006, was sent to an incorrect correspondence address. Accordingly, it cannot be presumed that the Notice reached practitioner at the correspondence address of record. Therefore, the application was not abandoned in fact.

For the above stated reason, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for re-mailing the Notice of Allowability and a Notice of Allowance and Issue Fee Due. The shortened statutory periods for response set therein will be reset to run from the date the Notices are re-mailed. Extensions of time for these periods are not available. See 37 C.F.R. § 1.136(c), effective November 07, 2000.

Inquiries related to this decision should be directed to Clayton E. LaBalle at (571) 272-1594.

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